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\$3725

PTO/SB/21 (03-03)

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/735,853
	Filing Date	December 12, 2000
	First Named Inventor	Ola M. Johansson
	Art Unit	3725
	Examiner Name	Mark Rosenbaum
Total Number of Pages in This Submission	5+	Attorney Docket Number 1174.054

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> RECEIVED AUG 15 2003 TECHNOLOGY CENTER R3700 </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	David D. Stein Boyle, Fredrickson, Newholm, Stein & Gratz, S.C. 250 E. Wisconsin Avenue, Ste. 1030 Milwaukee, WI 53202
Signature	<i>David D. Stein</i>
Date	AUGUST 6, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 8/6/03	
Typed or printed	Robyn O'Neill
Signature	<i>Robyn O'Neill</i>
Date	8/6/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO SB/17 (01-03)
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,086.00)

Complete if Known

Application Number	09/735,853
Filing Date	December 12, 2000
First Named Inventor	Ola M. Johansson
Examiner Name	Mark Rosenbaum
Art Unit	3725
Attorney Docket No.	1174.054

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number
50-1170
Deposit Account Name
Boyle Fredrickson Newholm Stein & Gratz S.C.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	750	375	Utility filing fee	
1002	2002	330	165	Design filing fee	
1003	2003	520	260	Plant filing fee	
1004	2004	750	375	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
Total Claims - 20** = 23 X	18	414
Independent Claims - 3** = 8 X	84	672
Multiple Dependent		

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	2202	18	9	Claims in excess of 20
1201	2201	84	42	Independent claims in excess of 3
1203	2203	280	140	Multiple dependent claim, if not paid
1204	2204	84	42	**Reissue independent claims over original patent
1205	2205	18	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$1,086.00)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1051	2051	130	65	Surcharge - late filing fee or oap
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet
1053	1053	130	130	Non-English specification
1812	1812	2,520	2,520	For filing a request for ex parte examination
1804	1804	920*	920*	Requesting publication of SIR prior to Examiner action
1805	1805	1,840*	1,840*	Requesting publication of SIR after Examiner action
1251	2251	110	55	Extension for reply within first month
1252	2252	410	205	Extension for reply within second month
1253	2253	930	465	Extension for reply within third month
1254	2254	1,450	725	Extension for reply within fourth month
1255	2255	1,970	985	Extension for reply within fifth month
1401	2401	320	160	Notice of Appeal
1402	2402	320	160	Filing a brief in support of an appeal
1403	2403	280	140	Request for oral hearing
1451	1451	1,510	1,510	Petition to institute a public use proceeding
1452	2452	110	55	Petition to revive - unavoidable
1453	2453	1,300	650	Petition to revive - unintentional
1501	2501	1,300	650	Utility issue fee (or reissue)
1502	2502	470	235	Design issue fee
1503	2503	630	315	Plant issue fee
1460	1460	130	130	Petitions to the Commissioner
1807	1807	50	50	Processing fee under 37 CFR 1.17(q)
1806	1806	180	180	Submission of Information Disclosure Stmt
8021	8021	40	40	Recording each patent assignment per property (times number of properties)
1809	2809	750	375	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	750	375	For each additional invention to be examined (37 CFR § 1.129(b))
1801	2801	750	375	Request for Continued Examination (RCE)
1802	1802	900	900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	David D. Stein	Registration No. (Attorney/Agent)	40,828	Telephone	414.225.9755
Signature	<i>David D. Stein</i>	Date	AUGUST 6, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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UNDER SECRETARY
DIRECTOR

DEPARTMENT OF COMMERCE FOR INTELLECTUAL PROPERTY AND
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APR 23 2003



Paper No. 10

In re Application of

Ola M. Johansson *et al*

Application No. 09/735,853

Filed: December 12, 2000

Attorney Docket No. 1174.054

:
: DECISION ON PETITION
:
:

The paper filed on December 17, 2002 styled as "Submission of Duplicate Amendment and Reply" is being treated as a petition under 37 CFR 1.181 to request withdrawal of the holding that this application stands abandoned for failure to timely file a reply to the Office letter dated March 20, 2002. No fee is required for the petition.

The petition is granted.

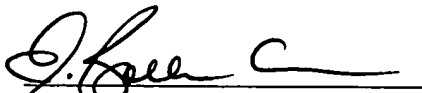
Petitioners allege that the holding of abandonment was in error, because the a reply to the Office letter in question was in fact filed, and that the reply was timely filed by reason of the authorization to charge Deposit Account No. 50-1170 in the amount of \$110.00 for a one month extension of time. Petitioner supports this allegation by furnishing a copy of the reply. The reply has affixed thereto a 37 CFR 1.8(a) certificate of mailing dated July 22, 2002, within the period for filing a reply that was set in the Office letter in question, as extended by the authorization discussed above. (See 37 CFR 1.136(a)(3), last sentence.

Based upon the evidence submitted with the petition, it is clear that this application was not in fact abandoned. Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status.

Office financial records show that the required extension of time was not charged, and the concurrently authorized claim surcharge fees were also not charged. Accordingly, the application is being forwarded to the Head Supervisory Applications Examiner to charge Deposit Account No. 50-1170 in the amount of \$110.00 for a one month extension of time, \$672.00 for eight additional independent claims and \$414.00 for twenty-three claims in excess of the number previously paid for. The transaction date for these charges should be July 22, 2002. At the same time, a refund of \$110.00 should be credited to the deposit account since the extension of time charged on December 17, 2002 was unnecessary.

Thereafter, the application will be forwarded to the examiner for action on the reply filed on July 22, 2002.

PETITION GRANTED.


E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

David D. Stein
Boyle, Fredrickson Newholm Stein
& Gratz, S.C.
Suite 1030
250 East Wisconsin Avenue
Milwaukee, WI 53202

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